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MONA JR., MICHAEL MONA III, JOSEPH D. DOWLING,
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SCHMITZ, EDWARD A WILSON, BART P MACKAY, and
LARRY RASKIN

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DAVID FRANCIS, derivatively on behalf of CV
SCIENCES, Inc. formerly known as,
CANNAVEST CORP.,

Plaintiff,

v.

MICHAEL MONA JR., MICHAEL MONA III,
JOSEPH D. DOWLING, BART P. MACKAY,
LARRY RASKIN, JAMES MCNULTY, GARY
SLIGAR, STEPHEN M. SCHMITZ and
EDWARD A. WILSON,

Defendants,

and

CV SCIENCES, INC., formerly known as,
CANNAVEST CORP.,

Nominal Defendant.

Case No. 2:18-cv-02284-GMN-NJK
Judge: Hon. Gloria M. Navarro

**STIPULATION AND [PROPOSED]
ORDER CONCERNING A STAY OF
THE ACTION**

Complaint Filed: November 30, 2018
Trial Date: Not Set

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1 WHEREAS Plaintiff David Francis (“Plaintiff”) brought the above-captioned action (the
2 “Action”) derivatively and on behalf of CV Sciences, Inc. formerly known as CannaVEST Corp.
3 (“CV Sciences” or the “Company”), alleging breaches of fiduciary duty against certain of the
4 Company’s current and former officers and directors (collectively with CV Sciences, “Defendants”)
5 (Plaintiff and Defendants are collectively referred to herein as the “Parties”);

6 WHEREAS, the Parties have filed various stipulations concerning a stay of this action;

7 WHEREAS, most recently, on July 6, 2022, the Parties stipulated to, and the Court approved,
8 a stay of this action until July 21, 2022 (ECF No. 63),

9 WHEREAS, the Parties to this Action and several additional related derivative actions have
10 reached an agreement on the material terms of a settlement of all of the related derivative actions,
11 including the substantive consideration therefor, and are now in the process of negotiating whether
12 any amount of attorneys’ fees for plaintiffs’ counsel can be agreed to or will need to be determined
13 by court application;

14 WHEREAS, negotiation of the settlement terms, and the remaining issue of attorneys’ fees,
15 has taken considerable time due to the involvement and coordination of multiple counsel in the six
16 pending and related derivative actions;

17 WHEREAS, in order to allow the Parties to complete their pending negotiations, the Parties
18 agree that the interests of efficient and effective case management would best be served by extending
19 the existing stay in this Action for eleven days;

20 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by Plaintiff and
21 Defendants, through their undersigned counsel of record and subject to the approval of the Court, as
22 follows:

23 1. All proceedings in this Action shall continue to be stayed until August 1, 2022, the
24 date that the stay will be over, but any of the Parties to this Stipulation can lift the voluntary stay by
25 providing written notice that the voluntary stay of the Action is lifted.

26 2. By August 1, 2022, the Parties in this Action will meet and confer in good faith to
27 determine a schedule for the Action going forward, and will submit a proposed scheduling stipulation

for this Court's review and approval, which shall include a deadline for Defendants to respond to Plaintiff's operative complaint.

3. All terms set forth in the Court's July 6, 2022 Order (ECF No. 63) remain in effect during the pendency of the stay set forth herein.

4. By entering into this Stipulation, the Parties do not waive any rights not specifically addressed herein, including the right to pursue and/or oppose formal discovery and/or file any motion any party deems appropriate once this case is no longer temporarily stayed.

IT IS SO STIPULATED.

Dated this 21st day of July, 2022.

LEVERTY & ASSOCIATES LAW CHTD.

**PROCOPIO, CORY,
HARGREAVES & SAVITCH, LLP**

/s/ Patrick R. Leverty

/s/ Eric A. Plourde

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And

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Counsel for Plaintiff

ORDER

PURSUANT TO THE PARTIES' STIPULATION, IT IS HEREBY ORDERED THAT:

1. All proceedings in this Action shall continue to be stayed until August 1, 2022, the date that the stay will be over, but any of the Parties to this Stipulation can lift the voluntary stay by providing written notice that the voluntary stay of the Action is lifted.


2. By August 1, 2022, the Parties in this Action will meet and confer in good faith to determine a schedule for the Action going forward, and will submit a proposed scheduling stipulation for this Court's review and approval, which shall include a deadline for Defendants to respond to Plaintiff's operative complaint.

3. All terms set forth in the Court's July 6, 2022 Order (ECF No. 63) remain in effect during the pendency of the stay set forth herein.

4. By entering into this Stipulation, the Parties do not waive any rights not specifically addressed herein, including the right to pursue and/or oppose formal discovery and/or file any motion any party deems appropriate once this case is no longer temporarily stayed.

IT IS SO ORDERED.

Dated this 24 day of July, 2022.



Gloria M. Navarro, District Judge
UNITED STATES DISTRICT COURT